

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

|                               |   |                        |
|-------------------------------|---|------------------------|
| KENNETH WAYNE MILLS,          | ) | No. C 08-0284 RMW (PR) |
|                               | ) |                        |
| Petitioner,                   | ) | ORDER OF TRANSFER      |
|                               | ) |                        |
| vs.                           | ) |                        |
|                               | ) |                        |
| SUPERIOR COURT OF CALIFORNIA, | ) |                        |
|                               | ) |                        |
| Respondent.                   | ) |                        |
| _____                         | ) |                        |

Petitioner, proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on January 16, 2008. Petitioner seeks habeas relief from his underlying criminal conviction in the Los Angeles County Superior Court, which lies in the Central District of California.


Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction are preferably heard in the district of conviction. See Habeas L.R. 2254-3(a); Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968); cf. Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989) (district of confinement best forum to review execution of sentence).

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1 Accordingly, this case is TRANSFERRED to the United States District Court for  
2 the Central District of California, the district of petitioner's conviction at issue in this  
3 petition. See 28 U.S.C. § 1404(a); Habeas L.R. 2254-3(b)(1). The clerk shall terminate  
4 any pending motions and transfer the entire file to the Central District of California.

5 IT IS SO ORDERED.

6 DATED: 2/9/08

  
\_\_\_\_\_  
RONALD M. WHYTE  
United States District Judge

1 This is to certify that on 2/12/08, a copy of this ruling  
2 was mailed to the following:

3 Kenneth Wayne Mills  
4 T-19095  
5 Salinas Valley State Prison  
6 125 Alder Street  
7 Soledad, CA 93960-1050  
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